



IDEM
Office of Air Management
Rules Guidance

December, 1998

Gasoline Transport Testing
98-40 (APCB)
LSA # 98-40

FACT SHEET

Overview

This rulemaking action amends 326 IAC 8-4 concerning vapor tightness standards for gasoline transports and the incorporation by reference of the portions of 40 CFR 62, Subpart R (National Emission Standard for Hazardous Air Pollutants (NESHAP) for Bulk Gasoline Terminals and Pipeline Breakout Stations) referring to those standards.

Citations Affected

Amends: 326 IAC 8-4-7

Amends: 326 IAC 8-4-9

Adds: 326 IAC 20-10-1

Affected Persons

Owners and operators of gasoline transports loading gasoline at bulk gasoline terminals, and the owners of those facilities, in Boone, Clark, Dearborn, Elkhart, Floyd, Hamilton, Hancock, Harrison, Hendricks, Johnson, Lake, Marion, Morgan, Porter, St. Joseph, and Shelby counties, and of all new facilities statewide. Also, owners and operators of gasoline terminals throughout the state that are considered major sources of hazardous air pollutants, and the owners and operators of gasoline transports that load at those terminals.

Potential Cost

There may be a small additional cost for owners and operators of transports, due to the new allowable leakage limits, the internal vapor valve test, and any associated repairs. No additional cost for owners of bulk gasoline terminals and other affected gasoline loading and unloading facilities is expected.

Description

The proposed amendments to 326 IAC 8-4-7 and 326 IAC 8-4-9 are based on the National Emissions Standard for Hazardous Pollutants (NESHAP) for Bulk Gasoline Terminals and Pipeline Breakout Stations, 40 CFR 63 Subpart R, issued by the United States Environmental Protection Agency. The federal rule establishes an internal vapor valve pressure standard and more stringent vapor tightness standards for gasoline transports. IDEM proposes to amend the leak testing requirements in 326 IAC 8-4-9 in order to be consistent with the standards in the federal rule. States are required to adopt and implement federal air toxics rules.

IDEM also proposes to add a definition of "leak" in 326 IAC 8-4-7(a)(3) consistent with that found in the federal rule,

and to revise language to allow the use of instruments, in addition to visible detection, to detect leaks in transports. IDEM proposes to add the same definition of “leak” to 326 IAC 8-4-9(d) and change the test method for vapor balance systems to be consistent with current test methods found at 40 CFR 60 Appendix A, Method 21. Proposed new rule 326 IAC 20-10-1 will incorporate by reference the portions of the NESHAP that pertain to the new standards.

Current state regulations require gasoline transports to display a dated, IDEM-issued sticker certifying compliance with the annual vapor tightness test. The federal rule does not require stickers, and IDEM proposes to eliminate the sticker program. Transports will remain subject to the annual vapor tightness testing requirements. The rule will require each transport to carry a copy of its annual test, showing compliance, without which terminals may refuse to permit a transport to load gasoline. Each owner or operator of a terminal will be responsible for verifying that each transport that is loading or unloading has passed the vapor tightness requirement. Also, IDEM compliance staff will visit terminals to check transports for leak detection.

The purposes of this rulemaking are to reduce hazardous air pollutant and volatile organic compound emissions during transport operations, and to simplify the current regulatory burden placed on gasoline transport owners and operators by the requirements of test methods that differ according to terminal classification.

The federal rule applies to gasoline transports loading only at bulk gasoline terminals identified as major sources of pollutant emissions, but IDEM’s proposed amendments extend the federal rule’s testing standards to transports loading at all bulk gasoline terminals in Boone, Clark,

Dearborn, Elkhart, Floyd, Hamilton, Hancock, Harrison, Hendricks, Johnson, Lake, Marion, Morgan, Porter, St. Joseph, and Shelby counties (where the state rule currently applies), and at all new sources.

Consistency with Federal Requirements

The amended rules are consistent with federal laws.

CONSIDERATION OF FACTORS OUTLINED IN INDIANA CODE 13-14-8-4

Indiana Code 13-14-8-4 requires that in adopting rules and establishing standards, the board shall take into account:

- 1) all existing physical conditions and the character of the area affected;
- 2) past, present, and probably future uses of the area, including the character of the uses of surrounding areas
- 3) zoning classifications;
- 4) the nature of the existing air quality or existing water quality as the case may be;
- 5) technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality; and
- 6) economic reasonableness of measuring or reducing any particular type of pollution.

The board shall also take into account the right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

RECOMMENDATION

It is recommended that the board preliminarily adopt the new rule and amended rules as presented.

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Janet Perkowski, Rules Development Section, Office of Air Management, (317) 233-8628, or (800) 451-6027, press 0 and ask for extension 3-8628 (in Indiana).